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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner: To be assigned

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San Diego, California

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER & RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILED UNDER 37 C.F.R. §1.53(b)

Dear Sir or Madam:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. §1.53(b), mailed June 21, 2002, enclosed please find the following items. Items 1-4 are in response to the Notice to File Missing Parts of Nonprovisional Application:

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence and anything being referred to as enclosed herein is being deposited with the United States Postal Service via Express Mail Post Office to Addressee Label No. EV 092569555 US, with sufficient postage in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on this 21st day of October, 2002.

Signature:

Jeff Beno

1761933

1. Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. §1.53(b);
2. Combined Declaration for Patent Application and Power of Attorney;
3. Petition for Extension of Time;
4. Check No. 127112 in the amount of \$552 which includes the basic filing fee (\$370), the late declaration surcharge (\$65), and the additional claim fees (\$117);
5. Recordation Form Cover Sheet (Form PTO-1595);
6. Assignment;
7. Information Disclosure Statement;
8. Form PTO/SB/08 listing 13 cited documents;
9. Copies of 13 cited documents; and
10. Return Postcard.

The Commissioner is authorized to charge any additional fee required, or credit any overpayment, to our Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Respectfully submitted,

Date

10/21/2002


David E. Heisey

Attorney for Applicant(s)

Reg. No. 42,651

c/o

LUCE, FORWARD, HAMILTON
& SCRIPPS LLP

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/085,349	11/16/2001	Victor Gura	30504-1/P01

David E. Heisey, Esq.
LUCE, FORWARD, HAMILTON & SCRIPPS LLP
Suite 2600
600 West Broadway
San Diego, CA 92101



CONFIRMATION NO. 5267

FORMALITIES LETTER



OC00000008329986

Date Mailed: 06/21/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/23/2002 MDANTE1 00000016 10085349

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 370.00 OP
02 FC:2051 65.00 OP
03 FC:2202 117.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of \$117 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$552 for a Small Entity

- \$370 Statutory basic filing fee.

RECEIVED

JUN 26 2002

LFH&S/D. HEISEY

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$117
 - \$117 for 13 total claims over 20.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE